

CHAPTER 75-03-07

IN-HOME CHILD CARE EARLY CHILDHOOD SERVICES

Section

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75-03-07-01. Purpose. The purpose of this chapter is to establish minimum standards of in-home care and to assure that those standards are maintained.

History: Effective December 1, 1981.

General Authority: NDCC 50-11.1-08

Law Implemented: NDCC 50-11.1-01

75-03-07-02. Objective of rules. Under the authority vested in the department pursuant to North Dakota Century Code section 50-11.1-08, the department is empowered to prescribe and promulgate such rules as are necessary to carry out the provisions of North Dakota Century Code chapter 50-11.1.

History: Effective December 1, 1981; amended effective January 1, 1987.

General Authority: NDCC 50-11.1-08

Law Implemented: NDCC 50-11.1-08

75-03-07-03. Definitions. Definitions used in this chapter are as defined in North Dakota Century Code chapter 50-11.1.

History: Effective December 1, 1981.

General Authority: NDCC 50-11.1-08

Law Implemented: NDCC 50-11.1-02, 50-11.1-08

75-03-07-04. In-home registration and standards.

1. An application for a registration document shall be submitted to the county social service board in the county wherein the applicant proposes to provide in-home services. Application shall be made in the form and manner prescribed by the department.
2. Applicants for an in-home registration document shall be directly responsible for the care, supervision, and guidance of the child or children in the child or children's home and shall comply with the following standards, certifying in the application that the applicants shall:
 - a. Be at least fourteen years of age.

- b. Be mentally, physically, and emotionally able to provide adequate care for the children in the applicant's charge.
 - c. Be able to devote adequate time and attention to the children in the applicant's charge.
 - d. Participate in specialized training related to child care as provided by or approved by the department.
 - e. Provide food of sufficient quantity and nutritious quality which satisfies the dietary needs of the children while in the applicant's charge.
 - f. Provide proper health care and protection for children in the applicant's charge.
 - g. Not use any drugs or alcoholic beverages except for medical purposes while children are in care.
 - h. Never leave children without supervision.
 - i. Discuss methods of discipline and child management with the parent or parents and shall not engage in any method of punishment which humiliates or frightens a child or causes more than minor transient physical or emotional discomfort, or both.
 - j. Provide care on a continuing basis for less than a twenty-four-hour period.
3. If the physical or mental health capabilities of an in-home provider appear to be questionable, the department may request that the provider present evidence of capability based on a formal evaluation.
4. In-home providers shall ensure safe care for the children in their care. If there exists a probable cause determination under North Dakota Century Code chapter 50-25.1 indicating that any child has been abused or neglected by the in-home provider, the person shall furnish information, satisfactory to the department, from which the department can determine the provider's current ability to provide care free of abuse or neglect. The determination of current ability will be furnished to the operator and to the regional director of the human service center or his designee for consideration and action on the in-home registration document.

History: Effective December 1, 1981; amended effective January 1, 1987.

General Authority: NDCC 50-11.1-08

Law Implemented: NDCC 50-11.1-02, 50-11.1-06, 50-11.1-07, 50-11.1-08